

12-28-01

A

PTO/SB/05 (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Application Number

Not yet assigned

First Inventor

Nahid S. Waleh

Title

MODULATORS OF THE  
HYPOCRETIN SYSTEM AND  
METHODS OF SCREENING  
THEREFOR

Attorney Docket Number

8500-0270

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 39]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table,  
or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
5. ☒ Oath or Declaration [Total Pages 4] (unexecuted)
  - a. ☐ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Other: \_\_\_\_\_

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_  
Prior application information: Examiner: \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_

**This application claims priority to U.S. Provisional Application Serial No. 60/258,069, filed December 20, 2000.**  
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18. CORRESPONDENCE ADDRESS**

|   |                             |  |                |
|---|-----------------------------|--|----------------|
| <input checked="" type="checkbox"/> Customer Number of Bar Code Label |                             | or <input type="checkbox"/> Correspondence address below |                |
| 23980<br>(Insert Customer No. or Attach bar code label here)          |                             |  |                |
| Name  | Mark A. Wilson              |  |                |
| Address   | REED & ASSOCIATES           |  |                |
|   | 800 Menlo Avenue, Suite 210 |  |                |
| City  | Menlo Park                  | State  | CA             |
|   |                             | Zip Code   | 94025          |
| Country   | USA                         | Telephone  | (650) 330-0900 |
|   |                             | Fax  | (650) 330-0980 |
| Name (Print/Type)   | Shelley P. Eberle           | Registration No. (Attorney/Agent)                        | 31,411         |
| Signature   | <i>Shelley P. Eberle</i>    | Date   | 12-19-01       |

**Burden Hour Statement:** This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commission for Patents, Box Patent Application, Washington, DC 20231.

**CERTIFICATE OF MAILING OR TRANSMISSION**

|  |                   |                 |                   |
|--|-------------------|-----------------|-------------------|
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to "Commissioner for Patents, Box Patent Application, Washington, DC 20231." |                   |                 |                   |
| Express Mail" Mailing Label No.  | EL 910 311 165 US | Date of Deposit | December 19, 2001 |
| Name of Person Mailing Paper or Fee(Print/Type)  | Sam Pen           |                 |                   |
| Signature  | <i>Sam Pen</i>    | Date            | 12-19-01          |

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated below and is addressed to the Commissioner for Patents, Washington, DC 20231.

(Modified) PTO/SB/05 (12/97)

"Express Mail" Mailing Label No.: EL 910 311 165 US

Date of Deposit: December 19, 2001

Type/Printed Name of Person Mailing Paper or Fee: Sam Pen

Signature of Person Mailing Paper or Fee: 

## FEE TRANSMITTAL

Note: Effective October 1, 1997.  
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)823.00

| Complete if Known      |                  |
|------------------------|------------------|
| Application Number     | Not yet assigned |
| Filing Date            | Filed Herewith   |
| First Named Inventor   | Nahid S. Waleh   |
| Group Art Unit         | Not Assigned Yet |
| Examiner Name          | Not Assigned Yet |
| Attorney Docket Number | 8500-0270        |

### METHOD OF PAYMENT (check one)

1. ☐ The commissioner is hereby authorized to charge any additional fees and credit any overpayments to:  
Deposit Account No.:  
Deposit Account Name: REED & ASSOCIATES
- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee set in 37 CFR 1.18 at the mailing of the Notice of Allowance
2. ☐ Payment Enclosed:  
☐ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Due   |
|----------------|-----------------|----------------|-----------------|------------------------|-----------|
| 101            | 740             | 201            | 370             | Utility filing fee     | \$ 370.00 |
| 102            | 330             | 206            | 165             | Design filing fee      |           |
| 104            | 510             | 207            | 255             | Plant filing fee       |           |
| 109            | 740             | 208            | 370             | Reissue filing fee     |           |
| 110            | 150             | 214            | 75              | Provisional filing fee |           |
| SUBTOTAL (1)   |                 |                |                 |                        | \$ 370.00 |

#### 2. CLAIMS

| Total Claims                 | Extra | below    | Fee Due   |
|------------------------------|-------|----------|-----------|
| 61 - 20 = 41                 | X     | \$ 9.00  | \$ 369.00 |
| Independent Claims 5 - 3 = 2 | X     | \$ 42.00 | \$ 84.00  |
| Multiple Dependent Claims    | X     |          | 0         |

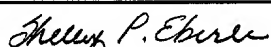
| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description                                      | Fee Due   |
|----------------|-----------------|----------------|-----------------|--|-----------|
| 103            | 18              | 203            | 9               | Claims in excess of 20                               |           |
| 102            | 84              | 202            | 42              | Independent Claims in excess of 3                    |           |
| 104            | 280             | 204            | 140             | Multiple Dependent Claim                             |           |
| 109            | 84              | 209            | 42              | Reissue independent claims over original patent      |           |
| 110            | 18              | 210            | 9               | Reissue claims in excess of and over original patent |           |
| SUBTOTAL (2)   |                 |                |                 |  | \$ 453.00 |

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

| Large Fee Code                    | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  | Fee Due |
|-----------------------------------|-----------------|----------------|-----------------|--|---------|
| 105                               | 130             | 205            | 65              | Surcharge - late filing fee or oath  |         |
| 127                               | 50              | 227            | 25              | Surcharge - late provisional filing fee or cover sheet                     |         |
| 139                               | 130             | 139            | 130             | Non-English specification  |         |
| 147                               | 2,520           | 147            | 2,520           | For filing a request for reexamination                                     |         |
| 112                               | 920*            | 112            | 920*            | Requesting publication of SIR prior to Examiner action                     |         |
| 113                               | 1,840*          | 113            | 1,840*          | Requesting publication of SIR after Examiner action                        |         |
| 115                               | 110             | 215            | 55              | Extension for reply within first month                                     |         |
| 116                               | 400             | 216            | 200             | Extension for reply within second month                                    |         |
| 117                               | 920             | 217            | 460             | Extension for reply within third month                                     |         |
| 118                               | 1,440           | 218            | 720             | Extension for reply within fourth month                                    |         |
| 128                               | 1,960           | 228            | 980             | Extension for reply within fifth month                                     |         |
| 119                               | 320             | 219            | 160             | Notice of Appeal   |         |
| 120                               | 320             | 220            | 160             | Filing a brief in support of an appeal                                     |         |
| 121                               | 280             | 221            | 140             | Request for oral hearing   |         |
| 138                               | 1,510           | 138            | 1,510           | Petition to institute a public use proceeding                              |         |
| 140                               | 110             | 240            | 55              | Petition to revive - unavoidable   |         |
| 141                               | 1,280           | 241            | 640             | Petition to revive - unintentional   |         |
| 142                               | 1,280           | 242            | 640             | Utility issue fee (or reissue)   |         |
| 143                               | 460             | 243            | 230             | Design issue fee   |         |
| 144                               | 620             | 244            | 310             | Plant issue fee  |         |
| 122                               | 130             | 122            | 130             | Petitions to the Commissioner  |         |
| 123                               | 50              | 123            | 50              | Petitions related to provisional applications                              |         |
| 126                               | 240             | 126            | 180             | Submissions of Information Disclosure Stmt                                 |         |
| 581                               | 40              | 581            | 40              | Recording each patent assignment per property (times number of properties) |         |
| 146                               | 740             | 246            | 370             | Filing a submission after final rejection (37 CFR 1.129(a))                |         |
| 149                               | 740             | 249            | 370             | For each additional invention to be examined (37 CFR 1.129(b))             |         |
| Other fee (specify)               |                 |                |                 |  |         |
| Other fee (specify)               |                 |                |                 |  |         |
| *Reduced by Basic Filing Fee Paid |                 |                |                 |  |         |
| SUBTOTAL (3)                      |                 |                |                 |  | \$      |

### SUBMITTED BY

| Typed or Printed Name | Signature   | Date     | Reg. Number | Deposit Account |
|-----------------------|---|----------|-------------|-----------------|
| Shelley P. Eberle     |  | 12-19-01 | 31,411      |                 |